



## U. S. Department of Justice

### Office on Violence Against Women

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*Washington, D.C. 20530*

January 17, 2007

Dear Tribal Leader:

Title IX of the Violence Against Women Act of 2005 (VAWA 2005) contains six statutory provisions designed to safeguard the lives of Indian woman and to strategically respond to violent assaults committed against them. In particular, section 903 of VAWA 2005 directs the Attorney General of the United States and the Secretary of the United States Department of Health and Human Services to conduct an annual consultation with Indian tribes to address violence against Indian women. The purpose of the consultation is to solicit recommendations from tribal governments on three topics:

1. The administration of federal funding appropriated for tribal governments and programs created to benefit tribal governments by the Violence Against Women Act of 1995 and subsequent reauthorization legislation;
2. Enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and
3. Strengthening the Federal response to crimes of domestic violence, dating violence, sexual assault, and stalking.

In accordance with Section 903, the Office on Violence Against Women (OVW) held the first annual consultation at the Mystic Lake Hotel and Casino in Prior Lake, Minnesota on September 19, 2006. OVW's former Director, Diane M. Stuart, along with other United States Department of Justice representatives, met with tribal leaders and representatives from across the United States. During this historic meeting, tribal leaders expressed their concerns about the three topics statutorily mandated for consultation.

Before, during and after the consultation, OVW received numerous recommendations from tribal governments and their representatives on how to enhance the safety of Indian women, including the administration of the new Grants to Indian Tribal Governments Program, the selection of OVW's new Deputy Director for Tribal Affairs, and the response of Federal and state agencies to crimes of violence against Indian women. The two most pressing concerns were: (1) the selection of OVW's Deputy Director for Tribal Affairs, and (2) the implementation of the Grants to Indian Tribal Governments Program. Following the consultation, OVW undertook administrative efforts to immediately implement these two statutory provisions of VAWA 2005.

## **Selection of OVW's Deputy Director for Tribal Affairs**

In October 2006, OVW announced the selection of Lorraine P. Edmo as its Deputy Director for Tribal Affairs. Lorraine Edmo joined OVW on October 30, 2006. She is an enrolled member of the Shoshone-Bannock Tribes of Idaho, and has extensive knowledge of issues facing American Indian and Alaska Native tribal governments.

During her career Ms. Edmo has served as an advocate for Indian education concerns while managing three national Indian organizations. Ms. Edmo has served as a Research and Policy Specialist at the United States Department of Education and as the Director of the United States Department of Interior's National Fund for Excellence in Indian Education. Since joining OVW, Lorraine Edmo has overseen the day-to-day management of OVW's Tribal Unit, including the development of the new Grants to Indian Tribal Governments Program, and the nominations of individuals to serve on the task force that will guide the national baseline study of violence against Indian women mandated by Section 904 of VAWA 2005.

In addition to these duties, Lorraine Edmo has been meeting with key stakeholders in both the Federal government and the private sector, to begin work on improving coordination of the Federal response to violence against Indian women. In early December, Lorraine Edmo and the staff from the OVW Tribal Unit attended the Office for Victims of Crime's Indian Nations Conference in Palm Springs, California. In the coming months, Lorraine Edmo will work to fulfill the statutorily-defined duties of her position, and to pursue opportunities to consult with tribal leaders and representatives about violence against Indian women. Ms. Edmo and I will attend the annual tribal consultation.

## **Implementation of the Grants to Indian Tribal Governments Program**

During the consultation, a few leaders spoke in favor of OVW administering the Tribal Governments Program as a formula grant. OVW gave serious consideration to these recommendations. After much careful deliberation, however, OVW determined that in order to make the most effective use of the funding available under the Grants to Indian Tribal Governments Program (Tribal Governments Program), the program should be administered as a discretionary grant award program.

One of the key goals in the creation of the Tribal Governments Program is to "... streamline access to tribal funds by combining the set-asides from seven programs into one grant program."<sup>1</sup> With more than 560 Federally-recognized tribes who are eligible to apply for Tribal Governments Program funding, it would be difficult to create a formula that would allow grant award recipients to fund a comprehensive response to domestic violence, dating violence, sexual assault, or stalking. The size of the individual grant awards would be so small as to make it impossible for most tribes to do more than perhaps hire a victim advocate. Moreover, the grant program that the Tribal Governments Program is replacing, the STOP Violence Against Indian Women Program, was a discretionary grant program.

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<sup>1</sup> *Restoration of Native Sovereignty: Restoration of Safety for Native Women*, Vol. V, September, 2006, p.16.

Many of OVW's current tribal government grantees who are operating projects and services that were funded under the STOP Violence Against Indian Women Program would not be able to sustain their projects with the funding that would be available to them under a formula grant. If OVW were to administer the Tribal Governments Program as a formula grant, then most tribal governments would have no choice but to continue submitting multiple applications for OVW funding if they wanted to create a comprehensive response to violence against Indian women.

Some of the steps that OVW has taken in response to September's consultation include:

- Creating a solicitation for the Tribal Governments Program that is more user-friendly and easier to understand;
- Increasing the grant award period for the Tribal Governments Program from 24 months to 36 months; and
- Offering tribal governments more technical assistance with the grant application process by scheduling a series of pre-application conference calls where potential applicants can ask OVW Tribal staff about the Tribal Governments Program solicitation and application requirements.

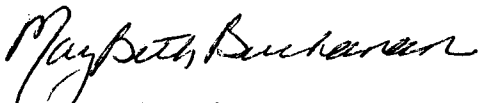
OVW will also engage in outreach efforts to ensure that all tribal governments are aware of the Tribal Governments Program funding opportunity, and that more of the funding reaches a larger number of tribal communities. The Tribal Governments Program solicitation was released on **Tuesday, January 9, 2007**. The solicitation is accessible through the OVW Web site at [www.usdoj.gov/ovw](http://www.usdoj.gov/ovw).

### **Summary of Recommendations**

The tribal leaders and representatives in attendance at the consultation offered recommendations on a wide range of topics. A summary list of the most common recommendations is attached to this correspondence. OVW will focus its efforts on these recommendations in 2007 and will provide updates on the status of our work on these issues at the next tribal consultation.

On behalf of OVW, I would like to thank the tribal leaders, representatives, and Indian country victim advocates who attended last September's consultation to share their concerns and invaluable insight into how this office can improve its efforts to assist tribal governments with addressing violence against Indian women. I look forward to the next consultation and hope that it will be as productive as the first.

Sincerely,



Mary Beth Buchanan  
Acting Director  
Attachment

## **Summary of Consultation Recommendations**

### **Administration of Grant Funds and Programs**

1. OVW should permit children to attend OVW-sponsored events.
2. OVW should provide technical assistance to Indian tribes on grant application submission.
3. OVW should fully obligate all Fiscal Year funds designated to support Indian tribes under VAWA 2005.
4. OVW should revise the current tribal progress reporting form.
5. OVW should provide training and technical assistance to Indian tribes through individuals and organizations having expertise in addressing violence against American Indian and Alaska Native women, and Federal Indian law and Public Law 280.
6. OVW's solicitations should be simplified.
7. OVW peer review panels should be comprised of Native Americans or should include both Native Americans and individuals having cultural expertise in tribal traditions and values.

### **Enhancing the Safety of Indian Women from Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

1. Indian tribes should be involved in the creation of the national registries mandated by Title IX of the Violence Against Women Act of 2005.
2. OVW should establish a tribal-Federal task force to develop standards for access to the Federal databases and national tribal registries.

### **Strengthening the Federal Response to Violence Against Indian Women**

1. The United States Attorneys' Offices should be more actively involved in prosecuting domestic violence and sexual assault cases referred by the tribal governments to their respective jurisdictions.
2. The Indian Health Service (IHS) should train its staff on Federal violence against Indian women laws.
3. The IHS should develop response protocols and policies for violence against women cases, including forensic exam protocols.
4. The United States Department of Justice and the United States Department of Health and Human Services should coordinate inter-agency response to violence against women.

### **Annual Tribal Consultation**

1. OVW should schedule the consultation no less than nine months prior to the event.
2. All tribal governments should be given an opportunity to participate in preparatory planning.
3. OVW should distribute the agenda no less than two months prior to the consultation to allow advance preparation by the participants, and the submission of questions to the United States Department of Justice on issues of concern that will be raised at the Consultation.
4. Each tribal consultation should be held with the purpose of creating achievable goals with established time frames for completion of identified actions and strategies.
5. The agenda for each consultation should include sufficient time for tribal leaders to present their statements and key points to representative Federal agencies.